

HOUSE

AMENDMENT NO.\_\_\_\_

Offered by

\_\_\_\_\_ of \_\_\_\_\_

AMEND House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 556 & 311, Page 2, Section 197.500, Lines 7 and 8, by deleting all of said lines and inserting in lieu thereof the following:

"RSMo. For purposes of this section only, "knowingly" and "recklessly" shall have the meanings that are ascribed to them in this section. A person acts "knowingly" with respect to the person's conduct when a reasonable person should be aware of the result caused by his or her conduct. A person acts "recklessly" when the person consciously disregards a substantial and unjustifiable risk that the person's conduct will result in serious physical injury and such disregard constitutes a gross deviation from the standard of care that a reasonable person would exercise in the situation."; and

Further amend said bill, Page 9, Section 198.036, Line 18, by inserting after the words "convicted of" the following: ", or

Action Taken \_\_\_\_\_

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pled guilty or nolo contendere to"; and

Further amend said bill, Pages 12 and 13, Section 198.067, Lines 91 and 92, by deleting all of said lines and inserting in lieu thereof the following: "licensed to the facility, up to a maximum of ten thousand dollars pursuant to subsections 1 and 2 of this section. The liability of the facility for civil penalties pursuant to this"; and

Further amend said bill, Page 15, Section 198.070, Lines 77 and 78, by deleting all of said lines and inserting in lieu thereof the following:

"purposes of this section only, "knowingly" and "recklessly" shall have the meanings that are ascribed to them in this section. A person acts "knowingly" with respect to the person's conduct when a reasonable person should be aware of the result caused by his or her conduct. A person acts "recklessly" when the person consciously disregards a substantial and unjustifiable risk that the person's conduct will result in serious physical injury and such disregard constitutes a gross deviation from the standard of care that a reasonable person would exercise in the situation."; and

Further amend said bill, Pages 16 and 17, Section 198.085, Lines 1 to 9, by deleting all of said lines; and

Further amend said bill, Page 17, Section 198.086, Line 1, by deleting the words "division of aging" and inserting in lieu

thereof the following: "[division of aging] department of health and senior services"; and

Further amend said bill, Pages 18 and 19, Section 198.093, Lines 1 to 36, by deleting all of said lines; and

Further amend said bill, Page 30, Section 630.167, Line 42, by inserting the word "of" after the word "copies"; and

Further amend said bill, Page 32, Section 630.167, Line 86, by deleting the number "6042" and inserting in lieu thereof the following: "[6042] Sections 15042 to 15044"; and

Further amend said bill, Page 33, Section 660.078, Line 5, by deleting the words "division of aging" and inserting in lieu thereof the following: "[division of aging]"; and

Further amend said bill, Page 38, Section 660.300, Lines 94 to 96, by deleting all of said lines and inserting in lieu thereof the following:

"in-home services provider agency or home health agency.  
For purposes of this section only, "knowingly" and "recklessly"  
shall have the meanings that are ascribed to them in this  
section. A person acts "knowingly" with respect to the person's  
conduct when a reasonable person should be aware of the result  
caused by his or her conduct. A person acts "recklessly" when  
the person consciously disregards a substantial and unjustifiable  
risk that the person's conduct will result in serious physical  
injury and such disregard constitutes a gross deviation from the

standard of care that a reasonable person would exercise in the situation. Any in-home services provider agency or home health agency that"; and

Further amend said bill, Page 47, Section 660.603, Lines 6 and 7, by deleting all of said lines and inserting in lieu thereof the following:

"2. The office shall be administered by the state ombudsman, who shall devote his or her entire time to the duties of his or her position."; and

Further amend said bill, Page 49, Section 660.603, Line 50, by inserting after the word "rule" the following: "in accordance with chapter 536, RSMo,"; and

Further amend said title, enacting clause and intersectional references accordingly.